

# MEMO ENDORSED

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September 4, 2007

BY TELEFAX

Honorable Stephen C. Robinson  
United States District Judge  
Southern District of New York  
U.S. Courthouse  
300 Quarropas Street  
White Plains, New York 10601

APPLICATION GRANTED

*Stephen C Robinson*

HON. STEPHEN C. ROBINSON

Re: Cold Stone Creamery, Inc., et al.  
v. Blue Ice Creamery, et al.  
Case No. 07-CV-6705 (SCR)

Dear Judge Robinson:

My office represents Plaintiffs Cold Stone Creamery, Inc. and Cold Stone Creamery Leasing Company, Inc. in the above action. The Notice of Requirement to Submit a Scheduling Order requires the parties to submit a scheduling order by September 3, 2007. I am sending this letter to respectfully request an extension of the time to do so.

To date, the only Defendant who has answered the complaint is Amy Greenberg. Her attorney, Adam B. Kaufman, Esq., consents to this request. Roy Mandelbaum, one of the Defendants, is an attorney. I am informed by Stephen J. Vaughan, Esq., one of Plaintiffs attorneys, that today he spoke with his son, Marc Mandelbaum (another Defendant), and was advised that Roy Mandelbaum has been hospitalized for the past two weeks. Meanwhile, settlement negotiations have taken place with all of the Defendants and we hope that an agreement will be reached.

In view of the foregoing, as noted above, the parties respectfully request additional time to submit a Scheduling Order.

Very truly yours,

*Ronald D. Degen*  
RONALD D. DEGEN

The deadline for submitting a proposed scheduling order is extended until October 22.

